

# **EXHIBIT 6**

**In Re:**  
*RESIDENTIAL CAPITAL, LLC, et al.*  
*Case No. 12-12020(MG)*

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*August 22, 2013*

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1 cases determined what the applicable rule for judgment  
2 reduction, as a result of partial settlements with any of the  
3 claims that are asserted in the complaint or the proof of  
4 claim?

5 MR. WALSH: We did that research last night, Your  
6 Honor. We didn't find any law on the TILA or the housing  
7 claims.

8 THE COURT: What about RICO?

9 MR. WALSH: But at least with RICO, the majority of  
10 the cases, as you say, it's judge-made law. The judge looks at  
11 a pro tanto judgment credit. And that may also be informed  
12 by --

13 THE COURT: It's a dollar-for-dollar reduction, based  
14 on the amount recovered --

15 MR. WALSH: Right.

16 THE COURT: -- by settlement.

17 MR. WALSH: And as I said, I believe --

18 THE COURT: That's the harshest of the rules.

19 MR. WALSH: -- I think it's related to the fact that  
20 RICO does not provide for contribution, and the other claims in  
21 this case also do not provide for contribution, and that's why  
22 we would advocate for pro tanto judgment credit.

23 THE COURT: Yeah, but I mean --

24 MR. WALSH: But again, I don't think --

25 THE COURT: -- part of the --

1 MR. WALSH: -- that could be made today.

2 THE COURT: -- judicial --

3 MR. WALSH: It could be --

4 THE COURT: Part of the judicial genesis of judgment  
5 reduction is it makes it very hard to have partial settlements  
6 in a case if the settling defendants are faced with claims over  
7 or things of that nature. And so anyway, I --

8 MR. WALSH: But Your Honor, I do want to emphasize,  
9 again, we don't have to make the decision today. We'll have a  
10 final hearing on the order and the judgment --

11 THE COURT: Yeah, I would be reluctant --

12 MR. WALSH: -- credit.

13 THE COURT: Put it this way, and I'm not determining  
14 anything yet, but I would be reluctant, as I was yesterday -- I  
15 was unwilling to approve, even on a preliminary basis, a  
16 settlement or mail a notice that I thought was inconsistent  
17 with what Denney v. Deutsche Bank required. Okay.

18 I would be equally reluctant to approve --  
19 preliminarily approve and order notice be sent for a settlement  
20 that adopted pro tanto, if there was controlling case law that  
21 said it had to be something different. Okay.

22 MR. WALSH: There isn't controlling case law on that  
23 point.

24 THE COURT: Well, that's your position.

25 MR. WALSH: But also, the class members are not, at